

Remarks

The Examiner's Office action mailed April 27, 2003, which rejected pending claims 1-22 and allowed claim 23, has been reviewed, and certain amendments have been made to the application. In view of the amendments and following remarks, Applicant respectfully submits that the application is in condition for allowance.

The Examiner rejected claims 1-5, 7-10, 12, 14, 15, and 17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,255,953, issued to Barber ("Barber"). The claims are believed patentable in view of the amendments and the following remarks, and Applicant requests withdrawal of the rejection.

Regarding claims 1, 7, 12, and 14, Applicant does not agree with the Examiner's statement that "Barber includes a [sector data] code indicating the specific area because an address is a set of numbers that uniquely identifies the destination of a message sent through a communication system." The system of Barber has pager receivers in a specific county that are programmed with the same pager number. See column 3, lines 29-33. Pager phone numbers are not equivalent to a geographic area designation, such as a portion of a county or another geographic area.

A pager typically has an identification sequence called a channel access protocol (CAP) code. The CAP code is used to access the pager, regardless of location. The CAP code for each pager is identified in a database of the pager company. The CAP code is used by a paging terminal to identify what signals should be sent to the pager. When a specific pager is to be accessed, the pager is signaled using the CAP code assigned to the pager. Thus, dialing a phone number to a pager causes the pager company to send a signal for the specific pager identified by the pager's CAP code. See, for example, Desktop Encyclopedia of Telecommunications, Nathan J. Muller (1998), pages 366-371 (attached). The pager does not have a specific sector code, a city/county code, sector data, or a code that designates a location or is designated for a location.

With regard to claims depending from claims 1, 7, 12, and 14, these claims depend directly or indirectly from their respective independent claims, which are believed to be allowable. Since these claims contain all of the limitations of their respective base claim, they also are believed to be allowable. Withdrawal of the rejection of claims 2-6, 8-11, 13, and 15-17 respectfully is requested.

The Examiner rejected claims 6, 11, 13, 16, and 18-22 under 35 U.S.C. 103(a) as being unpatentable over Barber in view of U.S. Patent No. 4,682,153, issued to Boozer et al. ("Boozer"). The Examiner found that Boozer discloses a fail safe sensor system for sending a test signal that, when received by the receiver, causes the timer to be reset to prevent the trouble alarm from being generated. The Examiner found that it would have been obvious to the skilled artisan to use the teaching of Boozer in the system of Barber to insure that the system is functional at all times which is an advantage.

Boozer does not send a test signal from a transmitter to a receiver as required in Applicant's claims. The Boozer system accounts for return signals from an active zone and a monitor zone. See Abstract, lines 3-4. Search signals are transmitted within an active zone within which objects are to be detected. See Abstract, lines 4-7. Signals that bounce off an object are returned toward the device and are referred to as return signals. The absence of a return signal permits a counter to time out. See Abstract, lines 17-19. Thus, the original signal, which is used to search for an object, such as a RADAR signal or a microwave signal, bounces off an object and returns to the system as a return signal.

The return signal provides data of the object from which it bounces and resets the counter. If no object is encountered and the counter exceeds the preset value, an alarm signal is produced which suggests something is wrong because an object should reasonably have been encountered in its scan range during the time period, and the absence of such a signal suggests that the sensor system is not functioning. See column 1, line 68 to column 2, line 6 and column 4, lines 60-65.

The Boozer system does not send an actual test signal that resets the counter as required in Applicant's claims. The original search signal of Boozer resets its counter. See column 4, lines 7-18. Moreover, the Boozer return signal resets a counter in the same device that transmitted the original search signal. The search signal merely returns as the return signal when it bounces off an object. The Boozer signal is not sent to a separate device as a reset signal as in Applicant's claims. See column 4, lines 20-33.

The claimed invention of claim 6, for example, requires a transmitter that sends a test signal, that when received by a receiver, causes the timer to be reset. The transmitter and the receiver are in different locations. To analogize the claimed system to Boozer, the notification signal itself would have to bounce off something and return to the transmitting equipment for the

reset to occur. Therefore, the system of Boozer would not work for the present systems and methods.

Additionally, the reason provided for the "motivation to combine" is impermissible hindsight. The reason provided by the Examiner was stated in the specification of the present application. See page 6, lines 8-14 of the Application.

Boozer does not disclose, teach, or suggest the additional limitations of Applicant's claims 6, 11, 13, 16, and 18-22. Barber also does not teach or suggest these limitations. Therefore, Applicants submit that claims 6, 11, 13, 16, and 18-22 are allowable. Withdrawal of the rejection respectfully is requested.

Applicant thanks the Examiner for allowing claim 23.

The references cited by the Examiner and made of record have been reviewed by Applicant. Applicant has no further remarks with regard to cited references.

Based on the foregoing, it is submitted that the Applicant's invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicant's attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on April 27, 2003.

Respectfully Submitted,

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